

United States District Court
Eastern District of California

United States of America,

Plaintiff, No. Cr.S-03-0493-KJM

vs. Detention Order (Violation of
Waydd Matthew Rechard, Pretrial Release, Probation or
Supervised Release)

Defendant.

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After a hearing pursuant to 18 U.S.C. § 3148
(violation of pretrial release order), the court
finds:

There is probable cause to believe the person
has committed a federal, state or local crime
while on release and the defendant has not
rebutted the presumption that his release will
endanger another or the community or

There is clear and convincing evidence that
the defendant has violated another condition
of release and

based on the factors set forth in 18 U.S.C. §
3142 (g) there is no condition or combination
of conditions of release that will assure that
the defendant will not flee or pose a danger

1 to the safety of another person or the
2 community or

3 the person is unlikely to abide by any
4 condition or combination of conditions of
5 release. F.R.Cr.P. 32.1(a)(D), 46(c), 18
6 U.S.C. § 3148.

7 x Pursuant to F.R.Cr.P.32.1(a) and 46(c) and 18
8 U.S.C. § 3143 (violation of probation or supervised
9 release) the court finds defendant has not met his
10 burden of establishing by clear and convincing
11 evidence that he will not flee or pose a danger to
12 another person or to the community.

13 IT IS ORDERED that pursuant to 18 U.S.C. § 3142(I)(2)(4)
14 defendant is committed to the custody of the Attorney General for
15 confinement in a corrections facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being
17 held in custody pending appeal. The defendant shall be afforded
18 reasonable opportunity for private consultation with his counsel.
19 Upon further order of a court of the United States or request of an
20 attorney for the United States the person in charge of the
21 corrections facility in which defendant si confined shall deliver
22 defendant to a United States Marshal for the purpose of an
23 appearance in connection with a court proceeding.

24 Dated: October 21, 2005

25 /s/ Peter A. Nowinski
26 Peter A. Nowinski
27 Magistrate Judge